

**BEFORE THE  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

**In The Matter Of:**

**ABSOLUTE MOVING, INC.,**

**Respondent**

**Docket No. FMCSA-2010-0109<sup>1</sup>  
(Eastern Service Center)**

**ORDER TERMINATING PROCEEDING AND CLOSING DOCKET**

On January 8, 2010, the Virginia Division Administrator of the Federal Motor Carrier Safety Administration (FMCSA) issued a Notice of Claim (NOC) against Absolute Moving, Inc. (Respondent). The NOC charged Respondent with eight violations of the Federal Motor Carrier Safety and Commercial Regulations and proposed a civil penalty of \$43,140.

On April 28, 2010, the Acting Field Administrator for the FMCSA Eastern Service Center (Claimant) submitted a Notification of Settlement and Motion to Close Docket. Claimant and Respondent entered into a Settlement Agreement which resolves the matters at issue here. Under the Settlement Agreement, which was executed on April 27, 2010, and adopted as a Final Order,<sup>2</sup> Claimant agreed to drop one of the counts charged in the NOC, reducing the amount claimed to \$37,160.<sup>3</sup> Respondent agreed to pay the negotiated penalty of \$35,000 in 60 consecutive monthly installments. Paragraph 5 of the agreement provides that failure to comply with the payment plan may result in the loss of any reduction in civil penalties asserted in the

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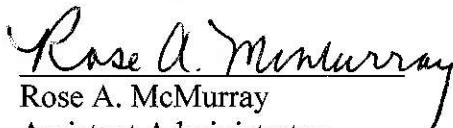
<sup>1</sup> The prior case number was VA-2010-0008-US1210.

<sup>2</sup> Settlement Agreement, paragraph 7.

<sup>3</sup> Settlement Agreement, paragraph 1.C.

NOC, as amended by the Settlement Agreement. I conclude that the settlement is in the public interest and it is accepted.<sup>4</sup>

THEREFORE, *It Is Hereby Ordered*, the Settlement Agreement is the Final Order in this matter, the proceeding is terminated, and the docket is closed.



Rose A. McMurray

Assistant Administrator

Federal Motor Carrier Safety Administration

5-19-10

Date

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<sup>4</sup> See 49 CFR 386.22(c).

**CERTIFICATE OF SERVICE**

This is to certify that on this 21 day of May, 2010, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

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